

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA,
Plaintiff**

vs.

**EDWIN PIZARRO-RODRIGUEZ,
Defendant**

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CASE. NO.: 00CR048-26 (JAF)

MOTION REQUESTING MODIFICATION OF CONDITIONS

TO THE HONORABLE JOSE A. FUSTE
CHIEF, U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, MIRIAM FIGUEROA, U.S. PROBATION OFFICER of this Court, presenting an official report on the conduct and attitude of releasee, Edwin Pizarro-Rodriguez, who on April 5, 2001, was sentenced to fifty-one (51) months of imprisonment in the District of Puerto Rico after pleading guilty of violating Title 21, U.S. Code, Sections 846, to be followed by a three (3) year supervised release term. A special monetary assessment in the amount of \$100.00 was imposed. As a special condition the offender was ordered to engage in a substance abuse treatment program. On July 22, 2004, Mr. Pizarro reported to the U.S. Probation Office after his release from confinement.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On January 20, 2005, offender was referred to an out-patient drug treatment program. On November 9, 20004, offender admitted to the use of marihuana. On December 14, 2004, he tested positive to marihuana, cocaine and heroin and on December 17, 2004 , he tested positive to cocaine and heroin. As such, on December 20, 2004, offender was referred to San Jose in-patient program

and was released on January 19, 2005, wherein he was once again referred to to an ambulatory drug treatment program. On February 17, 2005, offender was referred to the Buprenorphine drug program as a preventive measure due to his long history of drug abuse. However, on May 3, 2005, offender had a relapse and tested positive to cocaine and admitted same.

In order to assist offender with his drug addiction, he will be placed in home detention for a period of three (3) months in order to control offender's social activities and prevent another relapse. However, offender's supervised release conditions needs to be modify to include the Home Confinement Program. The offender agreed with the modification of his conditions and signed the attached Waiver of Hearing to Modify Conditions of Supervised Release.

WHEREFORE, in lieu of the aforementioned, unless ruled otherwise, it is respectfully requested that the Court modify Mr. Pizarro's conditions of supervision to include the Home Confinement Program.

In San Juan, Puerto Rico, this 8th day of June 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Miriam Figueroa
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CERTIFICATE OF SERVICE

I HEREBY certify that on June 8, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to AUSA Sonia I. Torres and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participant, Jose F. Quetglas, Esq., P.O. Box 16606, San Juan, Puerto Rico 00908-6606.

At San Juan, Puerto Rico, June 8, 2005.

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